



IFW

Docket No. 455-030

Patent

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of :  
JEFFREY S. KIEL ET AL. :  
Serial No.: 10/799,302 : Group Art Unit: 1615  
Filed: 03/12/2004 :  
For: SINGLE TANK PROCESS FOR PREPARING TANNATE  
LIQUID AND SEMI-SOLID DOSAGE FORMS

**INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicant discloses to the Examiner under 37 CFR 1.56, and 37 CFR 1.97-1.98, as revised (1135 OG 13) and effective March 16, 1992, the information listed on the attached form PTO/SB/08A, Substitute for form 1449A/PTO. This information may be found to be material to this invention under the current applicable patent law and as interpreted by the US PTO Rules, as cited above. Review and consideration of the listed references/information during substantive examination of this application is respectfully requested.

Applicant specifically emphasizes that this statement, and/or the act of providing copies of these references, is not to be construed as an admission that all or any of the references are prior art to the specific invention disclosed and claimed.

Also, nothing in this statement is to be construed as a representation that this is the only material information to be found, or the best. It, however, is the only information known to the applicant at this time that is believed to meet the "materiality standard" of the law. If additional qualifying references or other information is discovered in the future, it will be submitted promptly to fulfill applicant's continuing duty of disclosure under 37 CFR 1.99.

Respectfully submitted,

**KING & SCHICKLI, PLLC**




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CERTIFICATE OF MAILING

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Substitute for form 1449A/PTO

## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

*(use as many sheets as necessary)*

Sheet 1 of 3

**Complete if Known**

<b>Application Number</b>	10/799,302
<b>Filing Date</b>	03/12/2004
<b>First Named Inventor</b>	JEFFREY S. KIEL
<b>Art Unit</b>	1615
<b>Examiner Name</b>	
<b>Attorney Docket Number</b>	455-030

## U.S. PATENT DOCUMENTS

Examiner Initials <sup>2</sup>	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code <sup>2</sup> (if known)			
	1	us- 6,306,904	10/23/2001	GORDZIEL	
	2	us- 6,287,597	09/11/2001	GORDZIEL	
	3	us- 6,187,315	02/13/2001	FALCON	
	4	us- 6,117,452	09/12/2000	AHLGREN ET AL.	
	5	us- 6,063,770	05/16/2000	FALCON	
	6	us- 6,037,358	03/14/2000	GORDZIEL	
	7	us- 5,759,579	06/02/1998	SINGH ET AL.	
	8	us- 5,663,415	09/02/1997	CHOPDEKAR ET AL.	
	9	us- 5,614,178	03/25/1997	BLOOM ET AL.	
	10	us- 5,599,846	02/04/1997	CHOPDEKAR ET AL.	
	11	us- 5,164,398	11/17/1992	SIMS ET AL.	
	12	us- 5,025,019	06/18/1991	SUNSHINE ET AL.	
	13	us- 4,839,354	06/13/1989	SUNSHINE ET AL.	
	14	us- 4,767,402	08/30/1988	KOST ET AL.	
	15	us- 4,749,723	06/07/1988	SUNSHINE ET AL.	
	16	us- 4,749,722	06/07/1988	SUNSHINE ET AL.	
	17	us- 4,749,721	06/07/1988	SUNSHINE ET AL.	
	18	us- 4,749,711	06/07/1988	SUNSHINE ET AL.	
	19	us- 4,749,697	06/07/1988	SUNSHINE ET AL.	
	20	us- 4,619,934	10/28/1986	SUNSHINE ET AL.	

## FOREIGN PATENT DOCUMENTS

[illegible]

Examiner  
Signature

Date  
Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Applicant's unique citation designation number (optional). 2 See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. 6 Applicant is to place a check mark here if English language Translation is attached.

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Substitute for form 1449A/PTO <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> <i>(use as many sheets as necessary)</i>				<b>Complete if Known</b>	
Application Number				10/799,302	
Filing Date				03/12/2004	
First Named Inventor				JEFFREY S. KIEL	
Art Unit				1615	
Examiner Name					
Attorney Docket Number				455-030	
Sheet	2	of	3		

[illegible][illegible]

Examiner Signature		Date Considered	
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Substitute for form 1449B/PTO		<b>Complete if Known</b>	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)		Application Number	10/799,302
		Filing Date	03/12/2004
		First Named Inventor	JEFFREY S. KIEL
		Group Art Unit	1615
		Examiner Name	
Sheet 3 of 3	Attorney Docket Number	455-030	

OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS			
Examiner Initials <sup>*</sup>	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T <sup>2</sup>
	1	CYPRESS PHARMACEUTICAL, INC., "R-Tannic-S A/D," RX Only, Cypress Pharmaceutical, Inc., (Madison, MS), p. 1, 2 (March 1, 2001).	
	2	DSC LABORATORIES, "Phenylephrine Tannate/Pyrimamine Tannate Suspension," RX Only, DSC Laboratories (Muskegon, MI), p. 1, 2 (Aug. 1, 2001).	
	3	RONALD GOLDBERG, M.D. and FRANKLIN SHUMAN, M.D., "Evaluation of a Prolonged Action Oral Antihistaminic Preparation as Treatment for Allergic Disorders," Clinical Report, Clinical Medicine (Washington), Vol. 72 (No. 9), pp. 1475-1479 (Sept. 1, 1965).	
	4	JOHN WEILER, M.D. ET AL., "Randomized, double-blind, parallel groups, placebo-controlled study of efficacy and safety of Rynatan in the treatment of allergic rhinitis using an acute model," Annals of Allergy, ACAI (Iowa City, IA), Vol. 64 (No. 1), p. 63-67 (Jan. 1, 1990).	

Examiner Signature		Date Considered	
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